



Paper No. 10

MARIA M. ELISEEVA  
BROWN RUDNICK BERLACK ISRAELS, LLP  
ONE FINANCIAL CENTER  
BOSTON, MA 02111

**COPY MAILED**

FEB 14 2003

**OFFICE OF PETITIONS**

In re Application of :  
David W. Sherrer and John Fisher : DECISION NOTING JOINDER OF  
Application No. 10/022,726 : INVENTOR AND PETITION  
Filed: December 20, 2001 : UNDER 37 CFR 1.47(a) MOOT  
For: OPTICAL SWITCH ASSEMBLY :  
WITH FLEX PLATE AND METHOD  
FOR MAKING

This is in response to the "Request For Reconsideration of Petition Under 37 CFR 1.47(a)," filed February 10, 2003.

Petitioner has notified the Patent and Trademark Office (Office) that previously non-signing inventor Daniel Steinberg is not an inventor on the above-identified application and has requested that Mr. Steinberg be removed from the list of inventors. A new declaration without Mr. Steinberg was submitted with the instant petition on February 10, 2003. Therefore, in view of the removal of the previously non-signing inventor, further consideration under 37 CFR 1.47(a) is not necessary and the petition is considered moot. This application does not require Rule 1.47(a) status, and no such status should appear on the file wrapper. This application need not be returned to this Office for further consideration under 37 CFR 1.47(a).

The file is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 306-9200.

Edward J. Tannouse  
Petitions Attorney  
Office of Petitions  
United States Patent and Trademark Office